

United States District Court

DISTRICT OF DELAWARE

SUMMONS IN A CIVIL ACTION

ILLINOIS TOOL WORKS INC.,
a Delaware Corporation,

Plaintiff,

v.

FRITO-LAY NORTH AMERICA, INC., f/k/a
RECOT, INC., a Delaware Corporation,

Defendant.

CASE NUMBER: 06 - 54

TO: Frito-Lay North America, Inc.,
c/o National Registered Agents, Inc.
160 Greentree Drive, Suite 101
Dover, DE 19904

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY:

an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

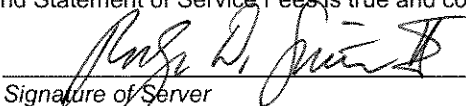
BY DEPUTY CLERK

DATE

1/27/06

Monica Masley

AO 440 (REV. 10/93) Summons In a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ¹	DATE May 19, 2006	
NAME OF SERVER (PRINT) Rodger D. Smith II	TITLE Attorney	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with person of suitable age and direction then residing therein. Name of person with whom the summons and complaint were left: _____ <input type="checkbox"/> Returned unexecuted: _____ _____ <input checked="" type="checkbox"/> Other (specify): <u>Service was accepted via electronic mail by Joseph A. Hynds, Esq., counsel for the defendant Frito-Lay on Friday, May 19, 2006 at 3:23 p.m.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>May 19, 2006</u> Date	 Signature of Server Rodger D. Smith II	
MORRIS, NICHOLS, ARSHT & TUNNELL LLP 1201 N. Market Street, 18 th Fl. Wilmington, DE 19801 Address of Server		